IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): A recording system in which a host device and a recording drive are connected via a bus,

said host device comprising

determination means for determining whether input content is to be protected,

said recording drive comprising[[:]]

recording means for recording user data [[and]] interspersed with user control data in a unit of physical cluster on a recording medium,

wherein the content is recorded in the user data, and protection information is recorded in the user control data, the protection information indicating whether the content is to be protected when being transmitted on the bus based on a determination result obtained by said determination means.

Claim 2 (Canceled).

Claim 3 (Currently Amended): A recording system according to claim 1 [[2]], wherein the unit is 2048 bytes.

Claim 4 (Previously Presented): A recording system according to claim 1, wherein said recording drive further comprises encryption means for encrypting the content by using an ID and a recording medium key of the recording medium when said determination means determines that the content is to be protected.

Claim 5 (Previously Presented): A recording system according to claim 1, wherein said recording drive further comprises encryption means for encrypting the content by using at least a recording medium key of the recording medium when said determination means determines that the content is not to be protected.

Claim 6 (Previously Presented): A recording system according to claim 1, wherein each of said host device and said recording drive further comprises authentication means for authenticating each other.

Claim 7 (Previously Presented): A recording system according to claim 1, wherein:

said host device further comprises first encryption means for encrypting the content before being sent to the bus when said determination means determines that the content is to be protected; and

said recording drive further comprises second encryption means for encrypting the content before being recorded by said recording means when said determination means determines that the content is to be protected.

Claim 8 (Original): A recording system according to claim 7, wherein said first encryption means prohibits the content from being encrypted before being sent to the bus when said determination means determines that the content is not to be protected.

Claim 9 (Currently Amended): A recording method for a recording system in which a host device and a recording drive are connected via a bus, comprising:

determining, at said host device whether input content is to be protected; and

recording user data [[and]] <u>interspersed with</u> user control data in a unit of physical

cluster on a recording medium,

wherein the content is recorded in the user data, and protection information is

recorded in the user control data, the protection information indicating whether the content is

to be protected when being transmitted on the bus based on a determination result.

Claims 10-39 (Canceled).

Claim 40 (Currently Amended): A recording system in which a host device and a

recording drive are connected via a bus,

said host device comprising

a processor configured to determine whether input content is to be protected,

said recording drive comprising<u>:</u>

a recording unit configured to record user data [[and]] <u>interspersed with</u> user

control data in a unit of physical cluster on a recording medium,

wherein the content is recorded in the user data, and protection information is

recorded in the user control data, the protection information indicating whether the content is

to be protected when being transmitted on the bus based on a determination result obtained

by said determination means.